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Attorneys for Receiver
WILLIAM D. BROWN

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

AMERIFIRST FUNDING, INC. AKA
AMERI-FIRST FUNDING, INC. AKA
AMERI FIRST FUNDING, INC.,
AMERIFIRST ACCEPTANCE CORP.,
JEFFREY C. BRUTEYN, DENNIS W.
BOWDEN,

Defendants,

and,

AMERICAN EAGLE ACCEPTANCE
CORP., HESS FINANCIAL CORP.,

Relief Defendants.

Misc. Civ. Action No.
CV-07-80175-MISC.

**AMENDED NOTICE OF
RECEIVERSHIP**

The United States District Court for the Northern District of Texas appointed William D. Brown of Weaver and Tidwell, L.L.P. as the temporary receiver ("Receiver") for receivership assets in the case styled *Securities and Exchange Commission v. Amerifirst Funding, Inc. aka Ameri-First Funding, Inc. aka Ameri First Funding, Inc., Amerifirst Acceptance Corp., Jeffrey C. Bruteyn, Dennis*

1 *Bowden, Defendants and American Eagle Acceptance Corp., and Hess Financial*
 2 *Corp., Relief Defendants*, Civil Action No. 3-07CV1188-D (the “Texas Action”).
 3 On July 25, 2007, the Securities and Exchange Commission filed its First
 4 Amended Complaint seeking to add certain additional relief defendants. The Court
 5 entered an Amended Order Appointing Receiver on August 2, 2007, adding
 6 Interfinancial Holdings Corp., Hess International Properties, LLC, Hess
 7 International Investments, S.A., United Financial Markets, Inc. and Gerald
 8 Kingston as relief defendants. The Court also entered a Supplemental Order
 9 Freezing Assets, Requiring an Accounting, Requiring Preservation of Documents,
 10 Requiring Repatriation of Assets, and Authorizing Expedited Discovery on August
 11 2, 2007, supplementing its Order Granting Preliminary Injunction and Other
 12 Equitable Relief, which was entered on July 31, 2007.

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1 The Receiver, having posted bond with the United States District Court for
2 the Northern District of Texas, hereby gives notice of the Amended Receivership
3 Order pursuant to 28 U.S.C. § 754 to this district, where Receivership Assets, as
4 defined in the Amended Order Appointing Temporary Receiver, may be located.
5 Attached are certified copies of the following documents filed in the Texas Action:

- 6 a. First Amended Complaint;
7 b. Order Granting Preliminary Injunction and Other Equitable Relief;
8 c. Amended Order Appointing Temporary Receiver; and
9 d. Supplemental Order Freezing Assets, Requiring an Accounting,
10 Requiring Preservation of Documents, Requiring Repatriation of Assets, and
11 Authorizing Expedited Discovery.

12 Respectfully submitted,
13 DATED: August 10, 2007 ANDREWS KURTH LLP

14
15 By: s/Ralph W. Tarr

16 Attorneys for Receiver
17 William D. Brown
18 E-mail: rtarr@andrewskurth.com

19 Of Counsel:

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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 601 S. Figueroa Street, Suite 3700, Los Angeles, California 90017-5742.

On **August 10, 2007**, I served the foregoing document described as **AMENDED NOTICE OF RECEIVERSHIP** on the parties having appeared in this action:

SEE ATTACHED SERVICE LIST

- ☒ by placing true copies (☐ the original) thereof enclosed in sealed envelopes addressed as stated on the attached mailing list;
- ☒ **BY FIRST CLASS MAIL:** I placed true copies in a sealed envelope addressed as indicated above, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service with postage thereon fully prepaid on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY PERSONAL SERVICE:** I caused to be delivered such envelope by hand to the offices of the addressee so specified on the attached service list. A Proof of Personal Service will be filed with the Court forthwith.
- ☐ **BY OVERNIGHT DELIVERY:** I am "readily familiar with the firm's practice of collection and processing correspondence for mailing via Express Mail (or another method of delivery providing for overnight delivery pursuant to CCP §§ 1005(b) and/or 1013(d)). Under that practice, it would be deposited with the United States Postal Service or other overnight delivery carrier (in this case, Federal Express) on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business.
- ☐ **BY HAND DELIVERY:** I delivered such envelope to the parties listed on attached service list.
- ☐ **BY FACSIMILE TRANSMISSION:** I caused to be transmitted via telecopier the within document to the offices of the addressee at the facsimile telephone number listed.
- ☒ **FEDERAL:** I declare under penalty of perjury that the above is true and correct.

Executed on **August 10, 2007**, at Los Angeles, California.


Katerina Klouda

SERVICE LIST

Securities and Exchange Commission vs. Amerifirst Funding, Inc., et al.

United States District Court
For the Northern District of California
Oakland Division

Misc. Civ. Action No. CV-07-80175-MISC.

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Acceptance Corp., Jeffrey C. Bruteyn,
Dennis W. Bowden
& Relief Defendants American Eagle
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Financial Markets